

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELIANT R. DRIGUOZ

Plaintiff(s),

-against-

ROYAL CONSUMER NF. PRODS.

Defendant(s).  
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ORDER

LEWIS A. KAPLAN, District Judge.

Jurisdiction is invoked pursuant to 28 U.S.C. § 1332. The complaint or notice of removal, as applicable, fails adequately to allege the existence of subject matter jurisdiction because, perhaps among other things, it fails adequately to allege:

- ☒ The citizenship of one or more natural persons. *See, e.g., Sun Printing & Publishing Ass'n v. Edwards*, 194 U.S. 377 (1904); *Leveraged Leasing Administration Corp. v. PacifiCorp Capital, Inc.*, 87 F.3d 44 (2d Cir. 1996).
- ☐ The citizenship of one or more corporations. *See* 28 U.S.C. § 1332(c)(1).
- ☐ The citizenship of one or more partnerships. *See Carden v. Arkoma Assocs.*, 494 U.S. 195 (1990).
- ☐ The citizenship of one or more limited liability companies. *See Handlesman v. Bedford Village Green Assocs. L.P.*, 213 F.3d 48, 52 (2d Cir. 2000).
- ☐ The nature and citizenship of one or more business entities.
- ☐ The timely removal of the action from state court.

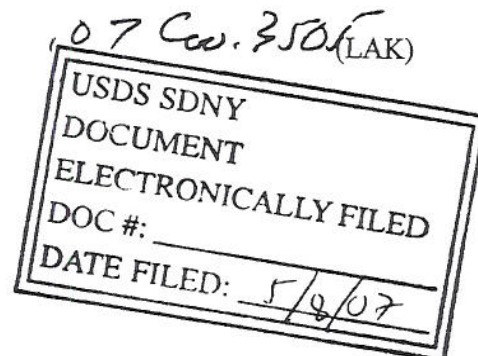
Absent the filing, on or before 5/18/07, of an amended complaint or notice of removal, as the case may be, adequately alleging the existence of subject matter jurisdiction, the action will be dismissed or, if removed, remanded. u

SO ORDERED.

Dated: 5/8/07



Lewis A. Kaplan  
United States District Judge



IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

ELIJAH RODRIGUEZ, an infant under the age of Eighteen, by his father and natural guardian, ARISTEDES RODRIGUEZ, and ARISTEDES RODRIGUEZ, Individually

Plaintiffs,

V.

ROYAL CONSUMER INFORMATION  
PRODUCTS, INC.,

Defendant.

**: AFFIDAVIT IN SUPPORT OF  
NOTICE OF REMOVAL**

STATE OF NEW JERSEY                 )  
  ) ss.:  
COUNTY OF SOMERSET                 )

Todd Althoff, being duly sworn, hereby deposes and says the following, under the penalty of perjury:

1. I am a Vice President of Royal Consumer Information Products, Inc. (“Royal”), a Defendant in the above-captioned matter. As such, I am fully familiar with the facts and circumstances set forth herein.

2. Royal Consumer Information Products, Inc., is a corporation organized and existing under the laws of Delaware, and is a domestic corporation of Delaware. Royal has no offices, warehouses or places of business operations in the State of New York.

3. Royal's principal place of business operations is located at 379 Campus Drive, Somerset, New Jersey. All of Royal employees are based in the Somerset, New Jersey, office.

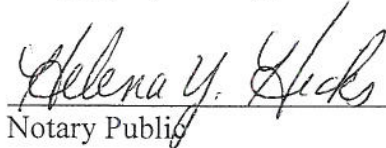
except for five outside sales people, none of whom are located in New York State, and less than ten employees located in a warehouse facility in Pennsylvania.

4. All decisions pertaining to the operation of Royal are made from the Somerset, New Jersey, office. In addition, Royal's business operations are conducted at the Somerset, New Jersey office, except as noted in the prior paragraph. Based upon all of the above, I believe that Somerset, New Jersey, is the primary "place of activity" for Royal's operations.



Todd Althoff, Vice President

Sworn to before me  
this 10 day of May, 2007



Notary Public

HELENA Y. HICKS  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 12/22/2008